

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

FRANK GILLIS,

Plaintiff,

vs.

LT SALDANA and LT WHITEHEAD,

Defendants.

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5:22-cv-00177-CAR-CHW

ORDER FOR PRETRIAL CONFERENCE DATE AND TRIAL DATE

THIS ORDER, AND THE ATTACHED PRETRIAL ORDER FORM, MUST BE CAREFULLY READ. THIS ORDER, AND THE ATTACHED PRETRIAL ORDER FORM, ARE AMENDED FROM TIME TO TIME. THIS DOCUMENT INCLUDES THE LATEST REVISIONS.

NOTE: THE PAGES OF THE PRETRIAL ORDER MUST BE NUMBERED.

1.

A Rule 16 pretrial conference will be held at **Macon, Georgia** on **July 1, 2024**. The Court requires that lead counsel for each party (or each party unrepresented by counsel) attend the pretrial conference.

2.

This case is scheduled for trial during the term beginning **July 29, 2024, in Macon, Georgia.**

3.

No later than **June 10, 2024**, each party shall deliver to all other parties a list of witnesses the party expects to present and those the party may call if the need arises.

4.

No later than **June 10, 2024**, copies of proposed trial exhibits of each party (including impeachment exhibits known to exist at the time) shall be delivered to all other parties. Participants at the pretrial conference will be expected to be familiar with the proposed exhibits of all parties.

5.

No later than **June 17, 2024**, copies of any motions in limine shall be delivered to the Court and all other parties. Participants at the pretrial conference should be prepared to discuss the merits of the motions at the pretrial conference.

6.

No later than **May 9, 2024**, *pro se* Plaintiff, who is currently incarcerated, must complete his portion of the proposed pretrial order and submit it to counsel for Defendants by mail. Defendants will thereafter have ten (10) days to complete their portion of pretrial order, consolidate the two parts, and submit the completed proposal

to the court. In any case, counsel for Defendants must submit the consolidated proposed pretrial order to this Court no later than **June 24, 2024**. Counsel shall submit the joint proposed order by emailing it to the Court in substantially the same form, and covering all the matters referred to in, as the attached form of order. The joint proposed pretrial order must be emailed to the Court as an attachment to the email and in a word processing format at Macon.ecf@gamd.uscourts.gov.

7.

At the **pretrial conference** each party shall:

(a) Produce copies of all proposed exhibits of the party. If production at pretrial of such exhibits is deemed unduly burdensome, a party may apply to the court for relief prior to the pretrial conference. Unless otherwise ordered by the court, exhibits produced at the pretrial conference shall be presented in a notebook, with an index of the exhibits included. *Pro se* parties are excused from the requirement to present exhibits in a notebook. However, *pro se* parties are required to have exhibits together and clearly marked with exhibit numbers. Plaintiff's exhibit numbers shall be preceded by the letter "P" and defendants' exhibit numbers shall be preceded by the letter "D". Joint exhibit numbers shall be preceded by the letter "J". (When the same exhibit is to be used by each side, it should be treated as a joint exhibit and should be marked accordingly.)

Copies of the exhibits or exhibit notebooks shall be furnished to the Court and opposing parties. Exhibits which cannot be placed in notebooks, such as physical

objects, shall be identified and numbered on a separate list. Exhibits not produced at the pretrial conference or excused from production by the Court will not be allowed at trial, absent a demonstration that the exhibit could not reasonably have been produced at the pretrial conference.

(b) Make any objections as to authenticity of the exhibits of the other parties. Any authenticity objections not made at pretrial shall be deemed waived.

(c) Make any other objections to the exhibits of the other parties. Any objections to exhibits not made at the pretrial conference shall be deemed waived, unless otherwise ordered by the court or unless the objection could not have been known at the time of the pretrial conference.

(d) Present to the Court a list of all witnesses who may be called at trial. All objections to witnesses shall be made at the pretrial conference and any objection to witnesses not made at the pretrial conference shall be deemed waived. Witnesses not identified at the pretrial conference shall not be allowed at trial unless otherwise ordered by the court or unless the witness could not have reasonably been identified prior to the pretrial conference.

(e) Present to the Court a list of all depositions, including audio and video depositions, which may be used at trial. All objections to depositions or the contents thereof shall be made at the pretrial conference, and any such objection not made at that time shall be deemed waived. Any extant deposition not identified at the pretrial

conference shall not be used at trial absent a demonstration that the deposition could not reasonably have been identified at the pretrial conference. Objections to depositions and the contents of depositions taken between the date of the pretrial conference and the trial shall be made in writing prior to jury selection.

(f) Present to the Court all motions in limine. No motions in limine may be made after the pretrial conference absent a showing that the motions could not reasonably have been made at the pretrial conference.

(g) Present to the Court a list of all pending motions or other matters which require a ruling or other action by the court. Any pending motions not so identified shall be deemed abandoned by the movant.

(h) Present to the Court a list of proposed voir dire questions for prospective jurors.

(i) Present to the Court proposed requests to charge the jury, if any. Each proposed request must be on a separate page, double spaced, and numbered for identification.

8.

The Plaintiff is advised that should he bring contraband into this Court at the pretrial conference or at the jury trial, Plaintiff's case shall be DISMISSED.

SO ORDERED, this 18th day of April, 2024,

S/ C. Ashley Royal

C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT